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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 DWAYNE HAROLD LARRY,

19 Defendant.

20 Case No. 2:21-mj-00681-EJY

21 **STIPULATION TO CONTINUE  
BENCH TRIAL  
(FIRST REQUEST)**

22 IT IS HEREBY STIPULATED AND AGREED, by and between  
23 Christopher Chiou, Acting United States Attorney, and Rachel Kent, Special  
24 Assistant United States Attorney, counsel for the United States of America, and  
25 Rene L. Valladares, Federal Public Defender, and Benjamin F. J. Nemec,  
26 Assistant Federal Public Defender, counsel for Dwayne Harold Larry, that the  
bench trial currently scheduled on November 24, 2021 at 9:00 am, be vacated and  
continued to a date and time convenient to the Court, but no sooner than six (6)  
months.

1       This Stipulation is entered into for the following reasons:

- 2       1.      The parties have determined this case will likely enter litigation and  
3             trial. Defense counsel needs additional time to review discovery and  
4             research potential pretrial motions. As defense counsel anticipates  
5             filing pretrial motions, a six month continuance is appropriate to  
6             give the Court adequate time to rule on any dispositive motions  
7             before the trial date.
- 8       2.      Mr. Larry is not incarcerated and agrees to this continuance.
- 9       3.      The parties agree to the continuance.
- 10      4.      Additionally, denial of this request for continuance could result in a  
11             miscarriage of justice.

12      This is the first request for a continuance of the Bench Trial.

13      DATED this 18<sup>th</sup> day of November 2021.

15      RENE L. VALLADARES  
16      Federal Public Defender

17      */s/ Benjamin F. J. Nemec*  
18      By \_\_\_\_\_  
19      BENJAMIN NEMEC  
20      Assistant Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

*/s/ Rachel Kent*  
By \_\_\_\_\_  
RACHEL KENT  
Special Assistant United States  
Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DWAYNE HAROLD LARRY,  
Defendant.

Case No. 2:21-mj-00681-EJY

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, November 24, 2021 at 9:00 a.m., be vacated and continued to May 18, 2022 at the hour of 9:00 a.m. in Courtroom 3D.

DATED this 18th day of November 2021.

Eayna J. Zouchah  
UNITED STATES MAGISTRATE JUDGE